

aprilbill

DISTRICT COURT

**From:** "aprilbill" <aprilbill@tds.net>  
**To:** "Jr." <jlubertazzi@mccarter.com>  
**Cc:** "Peter Knob" <pknob@mccarter.com>  
**Sent:** Tuesday, October 15, 2013 4:58 PM  
**Subject:** Case No. 2:13-cv-04543-FSH-SCM  
  
To: Joseph Lubertizzi, Jr  
Peter Knob  
McCarter & English, LLP  
Four Gateway Center, 100 Mulberry St.  
Newark, NJ 07102

2013 OCT 17 A 11:24

Alcatel-Lucent USA Inc. et al - Plaintiff v April Chartier - Defendant  
Case # 2:13-CV-04543-FSH-SCM

Copy to: William T. Walsh/Clerk  
Martin Luther King Building  
& U.S. Courthouse  
50 Walnut St.  
Newark, NJ 07102

From: April Chartier  
16 Kennedy Street  
Wilton, NH 03086

Dear Joseph Lubertazzi,

In response to the Alcatel-Lucent Retirement Income Plan complaint brought against me.

I, April Chartier, was given the opportunity to retire early with a guarantee of receiving my pension at age 65. I accepted the package at that time with the understanding that my pension would be there and accumulating until I reached retirement age. I lived and worked in New Hampshire at the time of this offering.

In July of 2012 I received a letter from the Alcatel-Lucent Pension Service Center offering a "special one-time program providing a lump sum payment option for a limited period of time". After careful consideration I accepted the offer within the allotted time frame based on the figures that Alcatel-Lucent had calculated. I returned all of the proper paperwork which was notarized. In October of 2012 I received the check in the amount that they calculated minus \$20,000+ for taxes. Because of this "mistake" I did have to pay an additional \$7,000 more in federal taxes at the end of the year because it put us in a different tax bracket. Six months after the fact I received a letter from Alcatel-Lucent stating that they made a mistake and overpaid me.

After receiving the letter I spoke to Lisa App. I asked how could this happen and was I the only one. She said that after doing a random audit there were others that they found. I believe if it was just a random audit that all peoples who received this offer and accepted it should be checked not just the few who have been served. I do not believe that I should have to pay for Alcatel-Lucent's mistake. I accepted this offer based solely on their calculations. If in fact I would have received only half of what the offer was I would NOT have accepted it and just planned on receiving a monthly pension check. I told Lisa this also. Why was this error not caught earlier, who authorized it? Due to the stress of this situation, I have had medical issues including high blood pressure, sleep deprivation and am under constant doctor's supervision.

Based on what I received, I retired from my current job a year earlier than I would have if I was only going to receive my monthly pension check. I also took my Social Security a year earlier based on this. This means I retired from a \$50,000 + year job, lost a year of 401K input and because of this will be receiving several hundred dollars less per month in my Social Security for the rest of my life.

I believe all of this could have been avoided had Alcatel-Lucent done their due diligence prior to issuing the

retirement benefit and being able to give us the option of still taking the "lump sum" or monthly pension payments.

I have not hired an attorney, as of yet, in hopes that this matter can be resolved without going to court. I know I've done nothing wrong, and actually feel victimized by the entire process. I have no desire to counter sue Alcatel-Lucent as I feel my time with the company was mutually beneficial. However, if this cannot be resolved amicably without going to court it is an option I will fully explore.

Sincerely,

April S. Chartier  
Oct. 15, 2013



Express

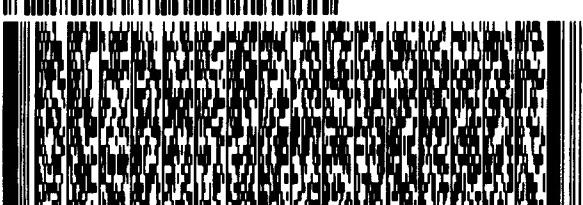
ORIGIN ID: AFNA (603) 622-9816  
RSA CUSTOMER 1  
POSTAL CENTER USA - MNH  
614 NASHUA STREET  
LORDEN PLAZA EAST  
MILFORD, NH 03055  
UNITED STATES

SHIP DATE: 16OCT13  
ACTWGT: 0.2 LB  
CAD: 104682688/WSX12750  
BILL SENDER

TO WILLIAM T WALSH CLERK  
U.S. DISTRICT COURT  
50 WALNUT ST  
MARTIN LUTHER KING BLDG  
NEWARK NJ 07102

(800) 854-5512  
THU PKG ID: 162856  
PDI

REF: APRIL CHARTIER  
DEPT:



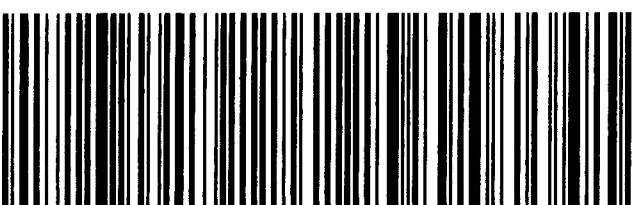
RECEIVED  
Oct 17 2013  
AT 9:30 AM  
WILLIAM T WALSH, CLERK

TRK# 0201 7969 2487 7478

THU - 17 OCT AA  
STANDARD OVERNIGHT

XA VAKA

07102  
NJ-US EWR



SEE NOTICE ON REVERSE regarding UPS Terms and notice of limitation of liability. Where allowed by law, shipper authorizes UPS to act as forwarding agent for export control and customs purposes. If exported from the US, shipper certifies that the commodities, technology or software were exported from the US in accordance with the Export Administration Regulations. Diversion contrary to law is prohibited.

FedEx carbon-neutral  
envelope shipping